

SPEECH

OF

MR. CALEB B. SMITH, OF INDIANA,

ON

THE MEXICAN WAR,

DELIVERED IN

THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES, JULY 16, 1846.

WASHINGTON:

PRINTED BY J. & G. S. GIDEON.

1846



S P E E C H .

The Bill making appropriations for the support of volunteers and others, employed in the war with Mexico, being under consideration in Committee of the Whole on the state of the Union—

Mr. CALEB B. SMITH addressed the committee :

Mr. CHAIRMAN : Ever since the commencement of the unfortunate, and in my opinion, unjustifiable war in which we are now engaged with Mexico, a studied effort has been made by the majority in this House to prevent any discussion of the causes which have induced it. Every effort which has been made to give to the country correct information in regard to the cause of the war, has been met by violent denunciation from the other side of the House. To doubt the justice of the war, or to question the conduct of the President, is denounced as treason to the country. The patriotism of members of this House is measured by the zeal and vehemence with which they support the acts of the Executive ; and he who doubts or questions the propriety of his conduct is assailed as an enemy of the country. This course, if successful, might accomplish the object which the friends of the Administration desire. If the representatives of the people can be awed by menace and denunciation into a tacit acquiescence and support of all the opinions and recommendations of the President, his conduct may escape censure, and the people may be kept in ignorance of his flagrant abuse of the power which they have confided to him.

I shall avail myself, Mr. Chairman, of this opportunity of expressing my opinions of the Mexican war, and the manner in which it was commenced. My constituents desire information in relation to this interesting subject. They desire to know how and for what purpose this war was commenced. They wish to be informed of the objects which are to be attained by its prosecution. They wish to learn what advantage is to result to the country, as a return for the vast expense of blood and treasure at which the war is prosecuted. So far as it is in my power, I intend to give them this information, even though I do it at the hazard of incurring a portion of that vituperation which has been so liberally heaped upon others.

I recognise, in its full force, the obligation which patriotism imposes upon every citizen to defend his country. When a foreign foe shall invade our soil, it will be the duty of every citizen to rush to the rescue, without stopping to inquire into the justice of the invasion. But, sir, this is not our condition now. No foreign armies are seen upon our soil. No hostile fleets are hovering upon our coasts. Within our borders all is peace and tranquillity. And yet, sir, we are engaged in war ; but it is a war of invasion, and not of defence. The armies of the United States are at this time displaying the stars and stripes in a foreign land.

And what, too, is most remarkable, is the fact that this invasion of a sister republic has been made by the President upon his own responsibility, without the consent or sanction of Congress, and without the knowledge of the people. If the President in violation of the Constitution makes war upon a foreign country, does patriotism require that the people or their representatives shall withhold any expression of censure or rebuke, until he may see proper to bring the war to a close ? I think not, sir. The President is not the country. There is a vast distinction between the country and those who are entrusted with the administration of the Government. Patriotism requires us to cherish and defend our country, while at the same time it imposes upon us the duty of exposing and denouncing the wickedness of her rulers.

The highest duty of a Representative is to expose and resist the encroachments of power; and he who shrinks from the discharge of that duty is recreant to his high trust, and unfit to be the Representative of a free people. The patriotism of those who fearlessly discharge this duty is more to be relied upon than that of the cringing, fawning sycophants of power, who can see no wrong in any thing which is done by an Executive who has patronage to dispense.

The power and influence of the executive department of the Government has become the greatest evil in our political system. He who has not witnessed the rapid and alarming increase of the influence of that department in the last sixteen years, must have been an inattentive observer of passing events. The independence of the legislative department is already destroyed by its blind and implicit devotion to the will of the Executive. The doctrine is boldly advanced, that the people, by electing a President, have decided in favor of all his opinions, and Congress is therefore bound to carry out all the measures which he recommends. But we have witnessed during the present session of Congress a new expedient resorted to for the purpose of procuring the legislative sanction to an executive measure. When the executive recommendations in the annual message, and the long, dull, prosy lectures in the columns of the "*Organ*," seemed scarcely sufficient to carry through the House a favorite executive measure—when, after a protracted struggle, the friends and the opponents of the measure appeared to be in a state of equipoise—we have seen the members of the President's cabinet mingling with the members of the House upon this floor, and exerting their influence to carry the doubtful measure. If no legislation is to be adopted except such as accords with the views of the President, we might as well dispense with Congress, and surrender at once the whole powers of the Government into the hands of the Executive.

But, Mr. Chairman, without consuming further time by enlarging upon this subject, I wish to examine the question of the Mexican war, and the causes which have led to it; and I shall endeavor to do it fairly and candidly.

The President in his war message, communicated to Congress on the 12th of May, has attempted to explain the causes which produced the war, and to furnish a justification for his own conduct. The causes assigned by the President in this message are three, and I propose to notice them in the order in which they are set out. The first is a recital of the wrongs and injuries committed by the Mexican Government upon the persons and property of citizens of the United States, which are depicted in glowing terms, apparently with a view of exciting feelings of hostility against Mexico.

It is true, sir, that injuries to a considerable extent have been committed by Mexico upon citizens of the United States, which remain unatoned for. But I deny that those injuries have produced this war. And I deny most emphatically that there is any thing in the relations of the two countries, growing out of these injuries, which would justify a declaration of war. It has not been contended, and will not be contended by any friend of the Administration here, that war would be justifiable upon this ground.

Let us for a few moments examine the history of these claims, and the negotiations which have taken place in relation to them. On the 11th April, 1839, a treaty was concluded between the United States and Mexico, by which it was stipulated, that a board of commissioners should be appointed by the two Governments to investigate the claims of American citizens against the Government of Mexico. Where the commissioners could not agree, the final decision was to be made by a disinterested umpire. Under this commission, claims were established and allowed, in favor of American citizens, to the amount of \$2,026,139 68. By the terms of the original treaty, Mexico was bound to pay the amount awarded by the commissioners, in cash or Treasury notes, at her option. But a subsequent agreement was made between the two Governments, by which it was pro-

vided that the amount should be paid in twenty quarterly instalments, in cash. The first three instalments were paid in specie, which was brought to this country, and divided among the claimants. For the next two instalments, an agent of the United States in the city of Mexico, authorized by our Government to receive the money and receipt for it, gave to the Government of Mexico a full acquittance, in which the receipt of the two instalments by him was acknowledged. The Government of Mexico contends that those two instalments have been paid, and produces the receipt of our authorized agent as evidence of the payment. The agent, although he admits the receipt, denies the payment of the money, but alleges that he received from the Mexican Government drafts upon her custom houses, which have not been paid. Thus stands the matter in relation to the first five instalments of the indemnities due from Mexico. The residue of the instalments remain unpaid. After the annexation of Texas, Mexico withdrew her minister, and suspended all diplomatic intercourse with us.

And now, sir, I ask the question, which I would be pleased to hear any friend of the Administration answer; is the non-payment of those instalments, thus provided for by treaty, a cause of war? Will gentlemen attempt to find an excuse or an apology for this war in the refusal of Mexico to pay this money? Sir, if the refusal of a Government to pay money which it owes should at all times be regarded as a cause of war, there are several of the sovereign States of this Confederacy, which, I fear, would be in imminent danger of war. How many States of this Union, with resources much beyond those which Mexico can control, have, for many years past, refused to pay even the interest which has accrued upon bonds executed by them for money which they have borrowed? This should at least admonish us of the necessity of exercising forbearance towards a Government indebted to us.

But much stress is laid by the President, in his message, upon the fact that there are numerous claims of American citizens which were not examined under the commission provided for by the convention of 1839, and which the Government of Mexico has not since paid. If the President had seen proper to furnish us with a history of the negotiations upon this subject, it would be found that there is nothing in this matter to furnish any cause of war. On the 20th November, 1843, a third convention between the two Governments was executed, which was designed to make a full settlement of all claims held by American citizens against the Government of Mexico. By this convention it was provided that a board of commissioners, to consist of persons to be appointed by the two Governments respectively, should sit at the city of Mexico, for the purpose of examining and deciding upon these claims. Where a majority of the commissioners could not agree, the final decision was to be made by an umpire. The privilege of selecting the umpire was conceded to the United States, and, in return for that concession, the board was to hold its meetings in the city of Mexico. This convention was submitted to the Senate of the United States, and that body amended it in two important and essential particulars. The first amendment required the board to sit at the city of Washington, in the United States, instead of the city of Mexico, as provided in the convention. The second amendment struck from the convention a provision which authorized the Government of Mexico to present to the board any claims which she might have against the Government of the United States. The convention was returned to Mexico with those amendments, and that Government has hitherto failed to ratify it. It is unnecessary to discuss the propriety of the amendments which were made by the Senate. I will only observe that they seem to have been made in the spirit of requiring every point in the contract to be in our favor. The important privilege of selecting the umpire, who would in effect have the decision of the claims, which was conceded to us, was certainly a pretty fair equivalent for allowing the board to hold its meetings in the city of Mexico. Besides, the fact that

the evidence, upon which the claims of our citizens could alone be decided, was all in Mexico, furnished no inconsiderable argument in favor of the propriety of the board holding its sessions there. I do not suppose that it was possible for Mexico to establish any claims against the United States. And yet it could have resulted in no injury to allow her the poor privilege of presenting any claim she might have supposed herself to possess, for the decision of a board, the decision of which was in the persons to be appointed by our own Government. This, sir, I believe is a fair history of the negotiations between the two Governments in relation to the claims of our citizens for injuries done them by Mexico, and such is the present position of those claims. Surely this presents nothing which would justify a resort to war, or which can be urged as a pretext or excuse for the war in which we are engaged.

The second point urged by the President in his array of the causes of the war, is the fact that the Government refused to receive Mr. Slidell, who was sent there in November last, as a minister plenipotentiary and envoy extraordinary. However discourteous and against the usage of civilized nations might have been the conduct of Mexico in refusing to receive our minister, it is very clear that it furnished no cause of war. Mexico was a sovereign and independent nation. She had a right to keep up diplomatic relations with our Government or not, as she chose. This is a right belonging to every nation. Had the wish expressed by the Mexican Government, that a *commissioner*, specially authorized to settle the difficulties growing out of the annexation of Texas, should be sent there, instead of a minister with full diplomatic powers, been gratified, it is very probable that this war might have been avoided, and the difficulties between the two Governments have been amicably adjusted.

But I come now, Mr. Chairman, to consider the last and most important ground presented by the President as the reason of the war. He caps the climax in his recital of Mexican wrongs and outrage, by the assertion that "*Mexico has passed the boundary of the United States, has invaded our territory, and shed American blood upon the American soil.*" This statement is made upon the assumption that the Rio Grande is the boundary between the United States and Mexico. It was upon the left bank of that river that "*American blood was shed,*" in the collision between American and Mexican troops; and the President asserts that to be "*American soil.*"

This collision of the armies of the two countries upon the Rio Grande was, in fact, the commencement of the war. The President, by sending our army there, brought on the collision. This no one will deny. Had our troops been suffered to remain at Corpus Christi, on the western frontier of Texas, the peace of the two countries would have remained undisturbed. It becomes then important to inquire into the propriety as well as the necessity of this step on the part of the President, which has been attended with such important consequences. During the summer of 1845, after Texas had given her assent to the proposition of annexation made by the United States, the President, at her request, ordered a portion of the army of the United States, under the command of Gen. Taylor, to be stationed at Corpus Christi, on the western bank of the Nueces, which was the extreme western frontier of Texas. The object in sending our troops to that point, as alleged by the President, was to resist any invasion of Texas by Mexico, which was then threatened. The troops remained at that point during the summer and fall, and until the winter following, when, by the order of the President, made on the 13th January last, they were removed from Corpus Christi to the east bank of the Rio Grande. It is important here to notice the fact that the settlement at Corpus Christi is the only settlement which Texas has west of the Nueces river. The country between that point and the Rio Grande is a vast uninhabited desert, until you approach the banks of the river, which is thickly settled with a Mexican population. The distance between the two rivers

upon a straight line is but little short of one hundred miles. Near the mouth of the Rio Grande is the town of Point Isabel, a Mexican town, and which, when our army went there, had a custom-house, with its officers appointed by the Mexican Government. The army, under the command of the President, passed over this desert, and, after taking possession of Point Isabel, pitched their camp on the east bank of the Rio Grande, opposite Matamoras, a Mexican town, containing a population of several thousands. The Mexican army held its headquarters at Matamoras. As must have been foreseen, a collision took place between the hostile forces, and actual war was commenced.

And now, sir, the question is presented, by what authority and for what purpose did the President send our army from Corpus Christi to the Rio Grande? This is a question to which the American people will demand an answer from this Administration. It was this which produced the war. What excuse can be rendered for an act which has resulted in such serious consequences?

It is urged, in justification of the Administration, that by the annexation of Texas we acquired a title to the country as far west as the Rio Grande. The ground upon which this assumption is made is, that the Congress of Texas passed an act in 1836, in which they defined the western boundary of that republic to be the Rio Grande. This proves only that a claim was set up by Texas to the territory, but it proves no title. As well might we contend that we could acquire a title to the Canadas by passing a legislative act declaring them to be ours. While Texas was a province of Mexico her western boundary was the Nueces river. This is so universally known to be true, that no one will deny it. Between the Nueces and the Rio Grande is a tract of country some hundred miles in extent. With the exception of the settlement at Corpus Christi, upon the western bank of the Nueces, and those upon the eastern banks of the Rio Grande, the whole country is unsettled—a vast desert waste, unappropriated to the purposes of civilization. When Texas separated from the Mexican republic, and declared her independence, she could by no possibility acquire a title to any more territory than was in her actual possession. She had no settlements beyond the Nueces, which was her western boundary. She exercised no authority or control over the people living upon the eastern side of the Rio Grande. The settlements and the towns there were Mexican settlements and Mexican towns. Some of them contain a population of several thousands. The entire population was made up of Mexican citizens, acknowledging the authority of the Mexican Government, and living under Mexican laws. Texas might as easily have acquired a right to the city of Mexico by an act of her legislature, as to thus acquire a right to the country washed by the Rio Grande. So clear and palpable was all this, and so well was it understood in this country, that in all the efforts which have been made for the annexation of Texas, it has been expressly stipulated that the western boundary should remain open and undefined, to be settled by negotiation with Mexico. When Mr. Tyler, in 1844, negotiated a treaty for the annexation of Texas, the boundary was left without specification. This was done for the very purpose of avoiding a collision with Mexico. I beg leave here to quote an extract from the letter of Mr. Calhoun, who was then Secretary of State, and negotiated the treaty of annexation, written to Mr. Green, charge of the United States at Mexico, dated 19th April, 1844. This letter was written for the purpose of dispelling any fears which might have been entertained that it was the intention of our Government to claim the country to the Rio Grande. It is as follows:

“You are enjoined, also, by the President to assure the Mexican Government that it is his desire to settle all questions between the two countries which may grow out of this treaty, or any other cause, on the most liberal and satisfactory terms, including that of boundary.

“It has taken every precaution to make the terms of the treaty as little objectionable as possible; and, among others, has left the boundary of Texas without specification; so that what

the line of boundary should be might be an open question, to be fairly and fully discussed and settled according to the rights of each, and the mutual interests and security of the two countries."

The treaty of annexation was not ratified. At the next session of Congress the friends of the measure succeeded in carrying through both Houses a joint resolution proposing to the republic of Texas annexation upon terms which are specified in the resolution. It is important to examine this resolution, as it has an important bearing upon this question. I will here quote so much of it as relates to the question of boundary of Texas :

"JOINT RESOLUTION for annexing Texas to the United States.

Resolved by the Senate and House of Representatives of the United States in Congress assembled, That Congress doth consent that the territory properly included within, and rightfully belonging to, the Republic of Texas, may be erected into a new State, to be called the State of Texas, with a republican form of government, to be adopted by the people of the said republic, by deputies in convention assembled, with the consent of the existing government, in order that the same may be admitted as one of the States of this Union.

2. *And be it further resolved,* That the foregoing consent of Congress is given upon the following conditions, and with the following guarantees, to wit: *First,* said State to be formed subject to the adjustment by this Government of all questions of boundary that may arise with other governments, &c."

Approved, March 1st, 1845.

From this resolution it is shown that when Congress proposed to annex Texas to this country, the proposition was made upon the express condition that the boundary of Texas should be adjusted by this Government. To what boundary did that stipulation apply? Why, sir, to the boundary between Texas and Mexico. Every other boundary line of Texas was clearly defined, and could by no possibility give rise to any controversy. The act of the Texan Congress, fixing the western boundary of Texas at the Rio Grande, had been passed many years before that, and was well understood in this country. It was well known, however, by the Congress which passed the resolutions of annexation that Texas had no right to the country upon the Rio Grande. It was well known that an assertion of title on our part, or an attempt to take possession of that portion of the country, would inevitably involve us in a war with Mexico. And it was for the express purpose of avoiding this difficulty that the resolution of annexation reserved to this Government the right of adjusting the boundary. The debates which occurred upon the resolution, in both branches of Congress, prove that such was the united opinion of members. Had it then been understood that by annexing Texas we should have been committed to take possession of the whole country up to the Rio Grande, the project would have been voted down. Well, sir, Texas through her Congress agreed to annexation upon the terms and conditions of the resolution of the Congress of the United States. This, then, constituted a clear and express compact between the two governments, that the boundary between Texas and Mexico should be adjusted by the Government of the United States. Adjusted, how? Why, by fair and honorable negotiation with Mexico.

As an additional evidence that it was well understood that the country upon the Rio Grande belonged to Mexico, I would ask gentlemen to look at an act passed by the same Congress which passed the resolutions to annex Texas, which recognised it as Mexican territory. The act to which I refer was approved 3d March, 1845, after the passage of the resolution of annexation, and bears the following title :

"An act allowing drawbacks upon foreign merchandise exported in the original packages to Chihuahua and Santa Fe, in Mexico, and to the British North American provinces, adjoining the United States."

Santa Fe is within the country now claimed by the United States, upon the east side of the Rio Grande.

It contains a Mexican population of some six thousand souls. The Mexican laws are regularly administered there. All the officers are appointed by the

Mexican Government. Texas never had any more control over it than Great Britain has. And yet the President tells us it is ours, because Texas in 1836 passed a law which declared it to belong to that Republic.

The President, in his message of 13th of May, attempts to assign reasons for sending the army to the Rio Grande. Let us hear what those reasons are. He says :

“It became therefore of urgent necessity to provide for the defence of that portion of our country. Accordingly, on the 13th of January last, instructions were issued to the general in command of these troops to occupy the left bank of the Del Norte (Rio Grande.) This river, which is the southwestern boundary of the State of Texas, is an exposed frontier. From this quarter invasion was threatened.”

It seems, then, from the President's message, that it was necessary that our troops should be sent to the Rio Grande “*for the defence of that portion of our country.*” Does the President mean that there were American citizens upon the Rio Grande, whom it was necessary to defend by sending our troops there ? He well knew, and every member of this House knows, that there were no American citizens there—that the only population there was a Mexican population, living under the protection of the laws and government of Mexico. The extreme verge of the frontier of Texas, and the utmost limits of its settlements had been reached by our troops, when they were stationed at Corpus Christi. Between them and the Mexican settlements upon the Rio Grande, intervened the vast desert waste which occupies the greater part of the region between the Nueces and the Rio Grande. And yet our troops were ordered to march across that desert and station themselves in the midst of a Mexican population, for the purpose of defending American citizens, whom they had left one hundred miles in their rear.

The President urges another reason for sending the troops to the Rio Grande, in the assertion, that they were sent there to resist an invasion of Texas, which was threatened from that quarter. Ever since the battle of San Jacinto, which occurred ten years ago, Mexico has been continually threatening an invasion of Texas. Yet that invasion has never been made. If Mexico, during a period of ten years, and while Texas was compelled to rely upon her own means of defence, dare not attempt an invasion, although constantly threatening it, can we be induced to believe that she would seriously attempt it, when by the act of annexation the whole power of the United States was pledged for her defence ? Why, sir, it is ridiculous and absurd to suppose it. These threats of invasion were but the idle gasconade which has characterized Mexican warfare, and Mexican diplomacy, ever since the existence of that nation. However much they may have alarmed the President, they produced no fears elsewhere. The reasons alleged by the President for this movement are shown to be utterly futile. There was in no possible view of the case any necessity for such a movement, even if no question of title or boundary existed.

But the most extraordinary and alarming feature in the proceedings of the President is, the arbitrary and unlawful assumption of power in assuming to settle the question of boundary between Texas and Mexico. I have shown that, in the compact of annexation, the right of adjusting the boundary was expressly reserved to the Government of the United States. Texas yielded all control over the question, and bound herself to submit to any boundary which the United States might agree upon by treaty with Mexico. This is so clear that no one will deny it. It has not been denied—it will not be denied. How should this boundary have been adjusted ? By negotiation with Mexico. The President, in November last, sent a minister to Mexico, but without waiting to know the result of that mission—without even waiting until it was certainly known whether the minister sent by him would be received by the government of Mexico, he assumes to fix the boundary upon the Rio Grande, and sends an army to take

forcible military possession of the country; as if with the deliberate purpose of at once putting a stop to all negotiation, and of preventing any amicable adjustment of this irritating question, he sent an army into the Mexican territory—into the very heart of a Mexican population. This was itself an act of war. And yet, at the very time that this war was thus commenced, Congress, the only power under the Constitution which is authorized to declare war, was in session, but was not even advised of what the President was doing.

This war, then, Mr. Chairman, does not exist, as is stated by the President, “*by the act of Mexico herself.*” It exists by the lawless and unauthorized act of the President of the United States. He has made war upon Mexico by sending a hostile army into her territories—into the midst of her people. He has done this in utter disregard of the compact of annexation between this Government and Texas—in the face of an act of Congress, expressly recognising the territory he has invaded as a part of Mexico, and in open and shameless violation of the Constitution which he has sworn to support.

The friends of the President have labored assiduously to find some excuse for his conduct, and to shield him from condemnation. But in doing this they are only able to make the broad assertion that the territory into which our troops were sent belonged to the United States. They furnish no proof to sustain their assertion, for they know that none exists.

But the most extraordinary effort, in defence of the course of the President, is to be found in a voluminous report from the Committee on Foreign Affairs of this House. This report was drawn and presented to the House by the gentleman from Pennsylvania, (Mr. C. J. INGERSOLL,) who is the chairman of that committee. As I have the honor of being a member of that committee, I wish to refer to the report for the purpose of noticing some of its statements, in which the honorable chairman has drawn quite largely upon his imagination for his facts, as well as for the purpose of stating that the report was made without my sanction, and that I dissent from it in *toto*. The report purports to present to the country a history of the causes of the Mexican war, but is, in fact, a laborious effort to whitewash the Administration, and to furnish some apology or excuse for its invasion of Mexico. The chairman in this report asserts, that the territory in which hostilities commenced was “*American ground.*” I will detain the committee to read a short extract from it. He says:

“*To the rest of the world, to futurity, and to our own countrymen, we are able to show, that, as these odious hostilities have not been provoked by our Government or people, so neither were they begun where our forces had no right to be, nor begun by them anywhere; but that Mexico struck the first blow, and struck it on American ground.*”

I wish now to compare the opinion of the honorable chairman, expressed in the above extract from his report, with an opinion expressed by the same gentleman about eighteen months ago.

In February, 1845, the joint resolution for the annexation of Texas was pending in this House. The gentleman from Pennsylvania (Mr. C. J. INGERSOLL) was then, as he now is, the chairman of the Committee on Foreign Affairs. He made a speech in favor of annexation. In the course of that speech he used the following language, in relation to the boundary between Texas and Mexico:

“*The stupendous deserts between the Nueces and Bravo [Rio Grande] rivers are the natural boundaries between the Anglo Saxon and the Mauritanian races. There ends the valley of the West. There Mexico begins. While peace is cherished, that boundary will be sacred. Not till the spirit of conquest rages, will the people on either side molest or mix with each other.*”

But eighteen months have elapsed since the gentleman assured this House and the country that “*the stupendous deserts between the Nueces and the Rio Grande*” constituted the boundary between Texas and Mexico. Then we were assured by him, that that boundary would be sacred, until the spirit of conquest

should rage. Now the same gentleman has transferred that boundary far over those "*stupendous deserts*," and established it in the midst of the Mexican settlements. The "*spirit of conquest*," which, in the opinion of the gentleman, could also induce us to pass that boundary, and molest the people upon the other side of it, has seized upon the country sooner than he anticipated. The same spirit seems to have seized upon him, for he is now willing to lend the influence of his name and official station to excuse and justify the President for doing that which he says could only be done under the influence of the "*spirit of conquest*." I leave it, sir, for the committee and the country to determine, how much reliance should be placed upon the assertion, contained in that report, that the country upon the Rio Grande, where hostilities were first commenced, is "*American ground*," when that assertion stands expressly denied, in a speech made upon this floor, only eighteen months ago, by the same gentleman who wrote the report.

But I must pass to another portion of this most extraordinary report. In another part of it, he says:

"Whether the territory between the Nueces and the Bravo was American ground, the President had no right or power to determine."

Sir, this is the very point in which we charge the President with a usurpation of power. I admit, that he "*had no right or power to determine*" this question of boundary, and it is because he did without "*right or power*" determine it, and involve the country in war, that he deserves the severest reprehension of every American citizen.

The honorable chairman seems determined to prove the country upon the Rio Grande to be "*American ground*," at least so far as broad and general assertions will prove it. It is necessary to prove this to make out a justification for the President. But as he has not attempted to furnish any evidence to sustain the position, I presume he expects his own assertions to be taken as evidence of the fact. He says:

"Several acts of Congress had made it his [the President's] duty to consider it American. All his predecessors, from the purchase of Louisiana, in 1803, deemed the Bravo the boundary between the United States and Mexico. The Texas declaration of independence and a Texan law in 1836, expressly asserted it. Treaties between Texas and Mexico likewise as expressly."

Sir, I deny, in positive terms, the statement here made, that "*several acts of Congress had made it his duty to consider it American*." If any act of Congress exists, which recognises the claim now set up to the country upon the Rio Grande, I call upon the Chairman of the Committee on Foreign Affairs, who has made this assertion, to produce it. It cannot be produced, for no such act of Congress is in existence. On the contrary, I have shown the act of Congress which was passed after the resolution to annex Texas, which expressly recognises that country as a part of Mexico. All the predecessors of the President "*from the purchase of Louisiana, in 1803*," could not have "*deemed the Bravo the boundary between the United States and Mexico*," because, by the treaty with Spain in 1819, before Mexico became independent, the boundary was fixed at the Sabine.

But the chairman says, that "*the Texas declaration of independence and a Texan law of 1836 expressly asserted*" the boundary to be the Rio Grande. True, they did; and were not that Texan declaration and Texan law in existence eighteen months ago, when the honorable chairman declared that Texas did not extend beyond "*the stupendous deserts which lie between the Nueces and the Rio Grande?*" These assertions, then, in the opinion of the chairman, furnished no evidence of title to the Rio Grande. They certainly furnish no better evidence now. But as the last and finishing stroke, the honorable chairman says, that "*treaties between Texas*

and Mexico as expressly" establish the boundary at the Rio Grande. This statement, as remarkable as it is, can scarcely excite more astonishment than what precedes it in the report. The country will doubtless be surprised when they learn, through the report of the Committee of Foreign Affairs, that this question of boundary has been expressly settled by treaties between Mexico and Texas. But they will doubtless be more surprised when they learn that this statement is made without any foundation in fact. I call upon the chairman to state when and where those treaties were made, and where they are to be found. No such treaty, much less "*treaties*," ever had an existence. The only agreement which it has ever been pretended by any friend of the President was made between Texas and Mexico in relation to this matter, was the agreement entered into between Santa Anna, while a prisoner of war after the battle of San Jacinto, and Gen. Houston, President of Texas. Santa Anna then agreed to remove his army west of the Rio Grande, as a consideration for his restoration to liberty, and also agreed to use his influence with the Mexican Government to procure a recognition of the independence of Texas. Whatever agreement he might have made could have had no binding effect upon the Government of Mexico. The agreement which he made was never ratified, and of course settled nothing. To dignify such an agreement as this by the appellation of a treaty, is a gross perversion of language.

I have pointed out, Mr. Chairman, some of the gross inaccuracies with which this report from the Committee on Foreign Affairs abounds. It is a labored production, which has been gotten up for the purpose of furnishing something like an excuse for the conduct of the Administration. He who relies upon its conclusions will be as far from the truth as are many of the statements which it contains. The cause must be bad which its friends find necessary to defend by such means.

I have endeavored to show the manner in which this war was commenced, and the causes which led to it. The question now becomes important—For what purpose and with what view was it commenced? This is a question from which the people will yet demand an answer from those who administer the Government. The friends of the Administration disclaim any intention of dismembering or conquering Mexico. I would not wish to judge the Administration uncharitably, and yet I am forced to the belief that the war has been commenced with the deliberate design of acquiring California, and perhaps other provinces of Mexico. The President professes a willingness to make a treaty of peace with Mexico, as soon as she manifests a willingness to treat. At the same time the ground is assumed by the friends of the President, that, when we do make peace, Mexico must pay the expenses of the war. The expenses of the war will very shortly reach forty or fifty millions of dollars, and if it is protracted much longer they will greatly exceed that amount. How is Mexico to pay this sum? That she cannot pay it in money is perfectly clear. When the war shall be ended, California and other northern provinces will be in the possession of our armies. If she cannot pay the money, our Government will demand a cession of her territory as an equivalent, and the possession will be retained by force until she shall agree by treaty to cede it. Thus will the Government, while disclaiming all intention of conquest, become possessed of some of the best provinces of Mexico, by coercing her into a surrender of them. I ask gentlemen to mark the result, and see if it does not justify the prediction I make. I will ask attention to a letter from the

Secretary of War, written in June, and which has just been published upon a call of the Senate. This letter foreshadows the course of the Administration, and prove conclusively that designs of conquest lie at the bottom of the war :

“WAR DEPARTMENT, *Washington, June 26, 1846.*”

“SIR: The President having determined to send a regiment of volunteers around Cape Horn to the Pacific, to be employed in prosecuting hostilities in some province of Mexico, probably in Upper California, has authorized me to say, that if you will organize one on the conditions hereinafter specified, and tender its services, it will be accepted.

“It is proper it should be done with the approbation of the Governor of New York.

“The President expects, and indeed requires, that great care should be taken to have it composed of suitable persons. I mean persons of good habits, as far as practicable of various pursuits, and such as would be likely to desire to remain at the end of the war, either in Oregon, or any territory in that region of the globe which may be then a part of the United States. The act of 13th May last authorizes the acceptance of volunteers for twelve months, or during the war with Mexico. The condition of the acceptance in this case must be a tender of services during the war, and it must be explicitly understood that they may be discharged without a claim for returning home wherever they may be serving at the termination of the war, *provided it is in the then territory of the United States, or may be taken to the nearest or most convenient territory belonging to the United States, and then discharged.*

“The men must be apprised expressly that their term of service is for the war ; that they are to be discharged as above specified, and that they are to be employed on a distant service. *It is, however, very desirable that it should not be publicly known or proclaimed that they are to go to any particular province of Mexico.* On this point great caution is enjoined. The communications to the officers and men must go so far as to remove all just ground of complaint that they have been deceived in the nature and place of the service.

“It is expected that the regiment will be in readiness to embark as early as the 1st of August next, if practicable. Steps will be immediately taken to provide for transportation, &c.

“Very respectfully, your obedient servant,

“W. L. MARCY, *Secretary of War.*”

“Col. J. D. STEVENSON, *New York City.*”

This letter authorizes Colonel Stevenson to raise a regiment of volunteers, to be composed of such men “*as would be likely to desire to remain, at the end of the war, either in Oregon or any territory in that region of the globe which may be then a part of the United States.*” The only inference which can be drawn from this language is, that it is the design and the expectation of the Administration to attach to the United States territory in the region of Oregon to which we have now no claim. In other words, they intend and expect to conquer California. The truth is, then, that we are engaged in a war of conquest—a war prosecuted for the purpose of dismembering a sister republic, and stripping her of a portion of her territory.

The country cannot be deceived by the shallow pretence which has been set up by the Administration, that the war is one of defence on our part.

The Administration is a Southern one. Its partiality for Southern men and Southern interests has already been so strongly manifested, as to excite loud and open murmurs from many of its friends. The acquisition of California is desired as a means of extending and perpetuating the power and influence of the South. The successful manner in which the iniquitous scheme of annexing Texas has been consummated, has but sharpened the appetite of those who desire the acquisition of Southern territory. While we see the Administration, with a degree of tameness and submission somewhat remarkable, when we remember their vainglorious boast that “our title to the whole of Oregon was clear and unquestionable,” surrendering one-half of that territory to Great Britain, we see them on the other hand grasping at territory in a more southern latitude, to which we have no title, in violation of every principle of right.

When the bill which appropriated ten millions of dollars and authorized

the President to call for volunteers to prosecute the war, was under consideration, I was confined to my room by indisposition, and was therefore unable to vote upon it. Had I been present, I should have voted for the bill. However much I respect the motives of the fourteen gentlemen who voted against it, I could not have concurred with them in the votes which they gave. At that time our little army was in a hostile country, surrounded by an enemy of greatly superior numbers. Every mail was looked for with intense anxiety, and intelligence of defeat and disaster was feared by many. It was not then the time to stop to inquire whether our army was there rightfully or not? They were there, exposed to the most imminent peril, and it was the imperative duty of Congress to adopt the means necessary to extricate them from that danger. If the President, by an unauthorized act, had sent our troops into a foreign country, and involved us in war, it was still our duty to adopt the necessary means to secure their safety. It is true, the majority in this House, by an act of unexampled party tyranny, attached to the bill the assertion that the war existed by the act of Mexico. This was done for the purpose of compelling the Whigs to sanction this statement by their votes, and thus furnish some excuse for the Administration; or, by voting against the bill, render themselves obnoxious to the charge of voting against granting the supplies necessary to extricate our army from their dangerous position. I believe the statement contained in the bill, that the war existed by the act of Mexico, was false. Still I should have voted for the bill, protesting at the same time (as did those Whigs who voted for it) against this falsehood, and protesting against the tyranny of the majority, which refused to us the privilege of voting upon the two propositions separately. It is not the desire of the Whigs in this House to embarrass the Administration, by withholding the supplies necessary to bring the war to a close. Wanton and unjustifiable as they view the war, still we are engaged in it, and our army must be sustained.

But, Mr. Chairman, the Administration has been furnished with all the supplies and means for which it has asked. The President has commenced the war, and the manner and extent of its prosecution rests with him. How far and how long does he intend to prosecute it? This is an important inquiry, and one which is now upon every tongue. And yet, sir, we get no answer to it. Extensive preparations are in progress for its prosecution. Our army has already penetrated into the interior of Mexico, and circumstances indicate an intention to march upon the capitol.

Sir, I do not believe that the people of the United States desire this war to be prosecuted with ambitious views of conquest. I do not believe that the public mind sympathizes with the Administration in its ambitious designs. The moment of excitement occasioned by the outbreak of hostilities will be succeeded by cool reflection, which will result in condemnation of the Executive. The fair fame of the country has already received a stain, which all the glory of Palo Alto and Resaca de la Palma cannot remove. The desire for peace is extending with every day. The interest and honor of the country demands that these odious hostilities with a neighboring republic should cease, and that peace should be restored.

NOTE.—I am indebted to the politeness of the Hon. E. B. HOLMES, of New York, for the annexed cut, which will serve in some measure to explain the localities referred to in the remarks

UNITED STATES

□ TAOS

◇ SANTA FE

NEW MEXICO

CHIHUAHA

COAHUILA

NEW LEON

TEXAS

140,000
Sq. Ms.

160,000
Sq. Ms.

or Rio del Norte R.

Niessa R.
S. Antonio R.
Guadalupe R.
Colorado R.

Austin
Houston
Brazos R.

Trinidad R.

Sabine R.

New Orleans

Mississippi R.

GALVESTON
GULF OF MEXICO

Christi
Corpus Christi
Mala
Mecca
TAMAUlipas

Rio

Brao
Rio Grande

Red R.

36

37

30

97

98

96

95

